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Deliver to: Johnson III, Henry M., USPTC Facsimile No.: (571) 273-8300 From: William Thomas Babbitt, Reg. N Our Docket No.: 4131P005C2	Date: October 14, 2005
Application No.: 10/718,272	Filing Date: 11/18/2003
Enclosed are the following documents:	Docket Due Date(s): 10/9/2005 11/9/2005
Amendment:After Final (_11_ pgs) Appeal Brief (pgs) Application: (pgs) w/cover & abstract) Assignment & Cover Sheet (pgs) Certificate ofFacsimile Continued Prosecution Application (CPA) Declaration & POA (pgs) Drawings: sheets, figures Extension of Time: Fee Transmittal (in duplicate) DS & PTO/SB/08 (pgs) Other	□ Issue Fee Transmittal □ Notice of Appeal □ Petition for: □ Request for Continued Examination (RCE) □ Reply Brief (pgs) □ Request & Certification Under 35 USC 122(b)(2)(B)(i) □ Request to Rescind Previous Nonpublication Request □ Response to Notice of Missing Parts & Formalities Letter □ Response to Written Opinion (pgs) ☑ Terminal Disclaimer □ Transmittal of Publication Fee Due □ Transmittal Letter
CERTIFICATE OF MAILIN	G/TRANSMISSION (37 CFR 1.8A) ed by facsimile on the date shown below to the United States

Nefy Calderon 10/14/2005

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application No.	10/71	10/718,272			
		Filing Date	Nove	mber 18, 2003			
		First Named Inventor	Jeffre	y W. Baxter			
} 			Art Unit	3739			
			Examiner Name	Johns	on III, Henry M.		
Total Number of	Pages in This Submission	on 14	Attorney Docket Number	4131	P005C2		
ENCLOSURES (check all that apply)							
Fee Transmittal	Form	Drawing(s)			After Allowance Communication to Group		
Fee Attac	hed	Licensing-related Papers			Appeal Communication to Board of Appeals and Interferences		
Amendment/Re	esporise	Petition			Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)		
After Final Affidavits/dectaration(s) Petition to C Provisional		Convert a Application		Proprietary Information			
		ttomey, Revocation Correspondence Address		Status Letter			
Express Abandonment Request		Terminal D	lisclaimer		Other Enclosure(s) (please identify below):		
Information Disclosure Statement Request fi		Request for	Refund				
PTO/SB/08 CD, Number		er of CD(s)					
Certified Copy of Priority Document(s)							
Response to Missing Parts/ Incomplete Application Remarks		<u> </u>					
Basic Filing Fee		_					
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Response Parts und 1.52 or 1.5	e to Missing ler 37 CFR 53						
	SIGNATURI	E OF APPLICAN	IT, ATTORNEY, OR A	GENT			
Firm	Firm William Thomas Babbitt, Reg. No. 39,591						
or Individual name	or -						
Signature							
Date	Date 10/14/05						
CERTIFICATE OF MAILING/TRANSMISSION							
I hereby certify that this correspondence is being transmitted via facsimile on the date shown below to the United States Patent and Trademark Office.							
Typed or printed name Nedy Calderon							
Signature	neger	Collein		Date	October 14, 2005		

T-124 CFC003/015, 26735

CCC TO A MODUTTAL	Complete if Known				
FEE TRANSMITTAL	Application Number				
for FY 2005	Filing Date	November 18, 2003			
Patent fees are subject to annual revision.	First Named Inventor	Jeffrey W. Baxter			
Applicant claims small entity status, See 37 CFR 1.27.	Examiner Name	Johnson III, Henry M.			
	Art Unit	3739			
TOTAL AMOUNT OF PAYMENT (\$) 0.00	Attorney Docket No.	4131P005C2			
METHOD OF PAYMENT (check all that apply)		W 20.			
	Other (please identify):				
<u> </u>	• •	: Blakely, Sokoloff, Taylor & Zafman Ll	LP		
For the above-identified deposit account, the Director is	herahy outhorized to: (c	hank all that apply)			
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Olher fee (specify)					
SUBTOTAL (2)					
SUBMITTED BY Complete (if applicable)					
Name (Print/Type) William Thomas Babbitt	Registration No. (Audrney/Ageni) 39,	591 Telephone (310) 207-380	00		
Signature William It hally	<u></u>	Data 10/11/05			

Based on PTO/SB/17 (12-04) as madified by Bioxovy, Sokolari, Yaylor & Zalman (wir) 12/15/2004. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

310 820 5988

FEE TRANSMITTAL for FY 2005 Palam fees are subject to annual revision.		Complete if Known				
		Application Number	10/718,2	272		
		Filing Date	Novemb	er 18, 200	3	
		First Named Inventor	ا Jeffrey ۱	V. Baxter		
Applicant plain	ns small entity status. Se	a 37 CED 1 27	Examiner Name	Johnson	III, Henry	M
Applicant claur	is small entity sizitus. Se	C 57 CFR 1.27.	Art Unit	3739		
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1809 790 1809 395 Piling a submission after final rejection (37 CFR § 1.125(a))						
1810 790 2810 395 For each additional invention to be examined (37 CFR § 1.128(b))						
Other fee (specify) SUBTOTAL (2) (\$)						
SUBMITTED BY Complete (if applicable)						
Name (Рип/тура)	William Thomas B	abbitt	Registration No. (Attorney/Agant)	39,591	Telephone	(310) 207-3800
	01/1/	1/2/1/2/			Deta	10/11/05

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Art Unit 3739

REPLY UNDER 37 CFR 1.116
EXPEDITED PROCEDURE
TECHNOLOGY CENTER 3729

Examiner: Johnson III, Henry M.

BSTZ No. 00431.P005C2 Guidant No. R0037C2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Jeffrey W. Baxter, et al.

Application No. 10/718,272

Filed: 11/18/2003

For: Apparatus and Method for Minimally

INVASIVE SURGERY USING ROTATIONAL

CUTTING TOOL

AMENDMENT AND RESPONSE TO FINAL OFFICE ACTION

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

In response to the final Office Action mailed August 9, 2005, Applicants respectfully request entry of the following amendment.